

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, AUGUST 26, 2005, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:37 a.m., Friday, August 26, 2005.

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II. INVOCATION

Commissioner David M. Gellatly gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Commissioner Shay led everyone in the pledge of allegiance to the flag of the United States of America.

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IV. ROLL CALL

The Acting Clerk called the roll.

Present: Pete Liakakis, Chairman
 Dr. Priscilla D. Thomas, Vice Chairman, District Eight
 B. Dean Kicklighter, Chairman Pro Tem, District Seven
 Helen L. Stone, District One
 James J. Holmes, District Two
 Patrick Shay, District Three
 Patrick K. Farrell, District Four
 Harris Odell, Jr., District Five
 David M. Gellatly, District Six

Also present:: Russell Abolt, County Manager
 Jonathan Hart, County Attorney
 Barbara B. Wright, Acting County Clerk

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

- 1. **RESOLUTION REMEMBERING MR. J. C. LEWIS, JR. *(Note: This item is delayed until the September 9, 2005, meeting.)***

ACTION OF THE BOARD:

This action was delayed to September 9, 2005.

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VII. COMMISSIONERS' ITEMS

- 1. **RESOLUTION REGARDING METHAMPHETAMINE CRISIS (COMMISSIONERS THOMAS, HOLMES AND FARRELL).**

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman. I think Staff has prepared the resolution that we discussed at our last meeting for your signature, to be sent to NACo, to let them know that Chatham County is on board with this, and we'd just like to have an official okay on that this morning. Do I need to read the resolution or just make a motion that we approve the resolution? Commissioner Kicklighter said second.

Chairman Liakakis said, we have a motion on the floor and a second. Any discussion on this meth resolution that we discussed at the last meeting? And each and every one of you were given a copy of that resolution. Commissioner Thomas said, right. Chairman Liakakis said, any discussion? Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

The motion made by Commissioner Thomas for approval of the resolution, as seconded by Commissioner Kicklighter, was approved unanimously.

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- 2. **REMEMBERING COUNTY ARBORIST, RUTH POWERS (COMMISSIONERS STONE AND FARRELL). *(NOTE: This item is delayed until the September 9, 2005, meeting.)***

ACTION OF THE BOARD:

This action was delay to September 9, 2005.

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3. **THAT THE BOARD AUTHORIZE STAFF TO REQUEST A COUNTY CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) TO CONSTRUCT A NEW INTERSECTION ON STATE ROUTE 21 FOR A SAVANNAH ECONOMIC DEVELOPMENT AUTHORITY/GEORGIA PORTS AUTHORITY DEVELOPMENT, AND AUTHORIZE THE CHAIRMAN, COUNTY CLERK, COUNTY ENGINEER, AND COUNTY ATTORNEY TO SIGN ALL FORMS NECESSARY TO IMPLEMENT THE PROJECT, WHICH INCLUDES THE GDOT FORM 532, A UTILITY AGREEMENT, THE RIGHT-OF-WAY CERTIFICATION, AND THE COUNTY CONTRACT.**

Chairman Liakakis said, Mr. County Manager, on Item 3 that we added in our pre-meeting, do we have that information? Mr. Abolt said, yes, sir. You'd have to make a motion to be entertained by the Chair to put that on the agenda.

Commissioner Kicklighter said, I make a motion, Mr. Chairman, to place on the agenda an agreement to participate with the Georgia Department of Transportation in the construction of a new intersection on State Route 21. Commissioner Farrell said, I second that.

Chairman Liakakis said, it's been seconded. Any discussion? Let's go on the board. The motion carried unanimously. Chairman Liakakis said, that has been added to the agenda. Commissioner Kicklighter?

Commissioner Kicklighter said, thank you, Mr. Chairman. I got some great news today and after I make a motion here, I want to introduce someone who's really working well and doing a great job for the community and helping us by helping the residents of all areas that surrounds the ports and all. Mr. Robert Morris is the Director of External Affairs for the Georgia Ports Authority and he's doing a fine job, and I'll introduce him in just a minute. I'm very pleased that Mr. Morris came through basically with our request. I have in my hand here, and I'll pass out shortly a letter from Robert Morris, and I'll read it for the record and then I'll present the original to Russ Abolt and I'll ask that you mail a copy of this to the cities, the Mayor and Council Members of Garden City and Port Wentworth, also. It says:

"August 26, 2005. Dear Commissioner Kicklighter: At your request, I am writing to inform you that due to concerns voiced by residents of Garden City, the Georgia Ports Authority (GPA) will not move forward with efforts to expand the credentialing center on the south side of Main Street. In addition, the GPA is committed to moving the credentialing center, upon completion of the sale of City Hall to the GPA. Thank you for your leadership and continued direction on this matter. Sincerely, Robert Morris."

Commissioner Kicklighter said, and again, this is major. This was something that the residents of Garden City, they were really understandably upset, because there would have been a huge trucking parking lot sitting in their back yards. And this is wonderful, and I appreciate the efforts from Robert, as well as the entire Georgia Ports Authority, and I appreciate your support, all of you up here. At this time,

I will make a motion to approve an agreement to participate with the Georgia Department of Transportation in the construction of a new intersection on State Route 21.

Chairman Liakakis said, do we have a second? Commissioner Gellatly said, second. Chairman Liakakis said, discussion? Point of information, they made this agreement before they even got a letter from the Commission concerning this particular project, so it's been worked on and there has been a lot of concern with the Georgia Ports Authority and especially as you're going to introduce Robert Morris, he has worked hard to work with the Garden City Mayor and others to come to this conclusion so that it'll be good for the citizens on the West side in that particular area.

Commissioner Kicklighter said, shall we vote before Mr. Morris comes up or after? Chairman Liakakis said, let's ask him to come on up now.

Mr. Robert Morris said, thank you, Chairman and Commissioners. It is a distinct honor to be here before you again, after some year and a half since the last time I appeared before your Commission, and we talked about the concerns surrounding the parking lot that we had built on actually the north side of Main Street. I wanted to update you some on that. Since our last meeting, the Georgia Ports Authority has designed, constructed, and completed a \$300,000 landscaped berm along that roadway of Main Street, and it turned out beautiful. It's a real addition, wonderful addition to the neighborhood. The magnolias are blooming as we speak, and without your leadership, and especially I want to mention the leadership of Commissioner Kicklighter, this would never have occurred, so I want to thank the team effort here that you all have shown and your leadership, which brings me on to the second issue, which is, during our discussions last year, you asked that we continue to maintain a close dialog with Garden City and with yourselves, so when the idea of expanding the credentialing center and the parking lot came up, the first thing we did was, we went to the Mayor of Garden City, Mayor Quinney, and mentioned it to him, and he suggested that we have a City Hall meeting, which we did, and Commissioner Kicklighter was there and spoke, as well as many other members of the community. At that point, I went back to the Authority and relayed the concerns that the community had and, as a result, we were able to come to this conclusion today and commit to working very closely with the City of Garden City to purchase City Hall and to move the credentialing center out of its existing site and also, not to expand into the neighborhood. And so I just want you to know that we're working hard and we appreciate your involvement and participation. Please, when you hear concerns from the community, feel free to call me and work with us, because we're really in this for the long haul and for creating the kind of relationship with Garden City that is both beneficial to living in the community and working in the community. Thank you.

Chairman Liakakis said, thank you very much, Robert. You know, at that meeting, people were pretty emotional, and you were very professional and handled the meeting, you know, so everybody could work together, hopefully, and it did turn out good, so thank you very much for that and those other meetings that you have had. And, of course, we're supportive of the Georgia Ports Authority because they provide over 275,000 jobs in the State of Georgia and bring in billions of dollars in income, and that's really good for the economy for our area and around the State of Georgia. Thanks again, and you can also give our thanks to Doug Marchand.

Chairman Liakakis said, let's go on the board. Commissioner Kicklighter said, Mr. Chairman, before we vote, I would also like to thank Mr. Morris. He is committed to starting a Georgia Ports Authority Citizens

Advisory Council, which will work to everyone's benefit, the Ports, as well as the community. They will just – basically, it will be another vehicle to stay in touch with the community. That way, while the Ports, while they're experiencing this amazing growth, they'll have the input from the neighboring citizens there to help them grow in a manner which would have the least amount of impact on the residential areas there, and I appreciate his commitment to move forward with that. And I also want to thank Mr. Morris for moving fast. He's already set up a meeting with the Mayor of Garden City. As well as, I want to thank State Senator Eric Johnson, who will be there at the meeting to start the serious negotiations of purchasing the City Hall to move the credentialing center over there. Thank you.

Chairman Liakakis said, let's go on the board.

ACTION OF THE BOARD:

1. Commissioner Kicklighter made a motion to place on the agenda an agreement to participate with the Georgia Department of Transportation in the construction of a new intersection on State Route 21. The motion was seconded by Commissioner Farrell and it carried unanimously.
2. Commissioner Kicklighter made a motion to approve the contract for construction of a new intersection on State Route 21. Commissioner Gellatly seconded the motion and it passed unanimously.

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VIII. TABLED/RECONSIDERED ITEMS

Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*).
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None.

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IX. ITEMS FOR *INDIVIDUAL ACTION*

(Unless the Board directs otherwise, adoption of an Action Item will mean approval of the respective County staff report and its recommended action.)

1. **REQUEST BOARD APPROVAL OF THE FOLLOWING: (1) AN AMENDMENT TO THE GENERAL FUND M&O FY2006 BUDGET TO RECOGNIZE \$96,773 IN ADDITIONAL REVENUE FROM COMMISSIONS TO THE TAX COMMISSIONER AND APPROPRIATE \$96,773 TO TRANSFER OUT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) FUND FOR A COMPUTER SYSTEM AND EQUIPMENT; AND (2) AN AMENDMENT TO THE CIP FUND BUDGET FOR FY2006 TO RECOGNIZE THE TRANSFER IN FROM THE GENERAL FUND M&O.**

Chairman Liakakis asked, do we have a motion? Commissioner Odell said, move for approval. Commissioner Thomas said, second. Chairman Liakakis asked, all right, any discussion? Go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved that the Board approve the following: (1) An amendment to the General Fund M&O FY2006 budget to recognize \$96,773 in additional revenue from commissions to the Tax Commissioner and appropriate \$96,773 to transfer out to the Capital Improvement Program (CIP) fund for a computer system and equipment; and (2) an amendment to the CIP fund budget for FY2006 to recognize the transfer in from the General Fund M&O. Commissioner Thomas seconded the motion and it carried unanimously.

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2. NOVALIS STATUS. GARY WATERS, PRESIDENT OF NOVALIS, WILL BE PRESENT.

Chairman Liakakis said, Gary Waters, who is President of NovaLIS, will give us a short report. As you remember, he was in the last meeting discussing some things his company would do to get this particular program completed in the very near future.

Mr. Waters said, good morning. I will go through this. If you have any questions, please feel free to ask me. One of the things we talked about last week was just the nature of the system that we're implementing, and it is really unique and, again, I applaud you for having the vision to integrate these different departments and pull all of this business process together. I did want to give you a little bit of an update on the – or at least show you some of the screens. I don't know how well you can see this, but part of the system will allow your development community to actually apply for permits, schedule inspections, check the status of inspections, check the status of permits on line from their own offices or from basically utilizing the web. So I just pulled a couple of screen shots from the system that will be delivered down here, showing how people will log in and select the type of permit, whether it's gas, plumbing, electrical, or mechanical, and be able to fill in all of the information that they need to in order to submit a permit application. Upon submission of that, it actually assigns them a permit number, which would then be used to reference the entire process that you go through. They're also able to schedule inspections so that they would be able, again, to do this on line versus the way they do this now, and also be able to query on the permit status, as well as the inspection status.

Mr. Waters said, some of the things that have gone on since I was here last time, two weeks ago, we have finalized the development environment. As you know, we had a subcontractor that pulled out of the project, so we had to re-engage another business partner of ours to help deliver this, and they have finalized and gotten the entire joint development environment together so that we can begin work to further the progress of the system. As you remember, last time I was here, I stated that they had not done a lot to further the system because of not having gotten every detail finalized for them to do development work. That has now occurred and they are furthering the progress of the system. We've also had meetings on site down here which occurred last week, where they met with the project teams to pull together an implementation schedule to get the system live and ongoing. We have built an initial plan, which I apologize to the folks affiliated with this project in the audience, only received yesterday

at about 4:40, I believe. So some of the information I'm sharing with you here today, they've barely had time to review, as well. Some of the characteristics of the plan, just to let you know the status of it, it was just sent yesterday. It will be finalized next week. The plan has been done from our perspective and, obviously, this is a team effort and we require resource and commitment on the part of the folks involved from the Chatham County side, so next week, that plan will be completely finalized after we get their work schedules, and they understand the commitments that it will take to get this system up and live. We did focus on the Land Development Office portion of the project, which is for the Building, basically the permitting and inspection system, and the Assessment Office side for the Board of Assessors will actually be done in three phases.

Currently, these are the dates associated with the plan. The first phase of Assessment Office for the Board of Assessors would go live October the 17th. The purpose of that particular phase would be to support the interdependencies between the two systems so that parcels would be accessible for assigning permits. That process is one that the Board of Assessors does in their daily business process and needs to be in place so that the permits that are being requested can be attached to the parcels that they belong to, rather than the parent parcel in the case of development. The Office portion of Land Development Office would go live October 31st. That would be the back office operation, the people that are actually doing the processing of permits and inspections, and simultaneously, the web portion would be made available so that the development community could begin submitting and clearing their permits and inspections on line through their own computer system, and that works directly with the same data base that the back office system is using, so basically, we can use the web as a communication mechanism between the Chatham County employees and the development community. The second and third phases of the Assessment Office implementation are going to include additional business functionality that is required for their offices, with a final go-live date with the Assessment Office implementation in February of 2006. I have a little bit more detail just on what the specific phases are. Basically, Phase 1 in Assessment Office will be mostly read only. It will be taking data out of the existing system where they do the parcel maintenance that feeds the permitting and inspection system. They will begin to familiarize themselves with the system, being able to do queries, and we will have GIS components hooked up so that they will be able to see on the map the parcels that they query. Again, the Land Development Office side will go live and will basically support the permitting and inspection activities, and then the web will allow the development community, again, to access the functionality required for permits and inspections on line. And then additional functionality will be added in Phase 2. There will be another data conversion that will occur at this point to support some of the other functionality, above and beyond just having the names, legal addresses, and parcels noted into the system. This will also be a time where the assessment people will be able to run in parallel and test out the functionality of the system. And then the final phase, we won't need to do another data conversion because the system will – basically, the data will have been put in place and will implement the rest of the functionality and they will be able to go live and be fully operational in February of 2006.

Chairman Liakakis said, questions? Patrick Shay.

Commissioner Shay said, could I get a copy of the Power Point presentation you just made, so I can have that for my records? Mr. Waters said absolutely. I'll get an e-mail address. Is it okay to actually – Commissioner Shay said, you can forward it to the County Manager; he's your contracting officer. Mr. Waters said, I will do that. Commissioner Shay said, Gregori, are we okay? Mr. Gregori Anderson said, good morning. Thank you for the opportunity to speak with you this morning. What we see this morning

is a good start. It's a good start. We talked to Gary just before he came in here. I got this late yesterday afternoon and haven't had a chance to go through it. We've got some serious milestones that I impressed on Mr. Waters that we cannot miss. We've had milestones in the past that slipped by and things were not done. Today, you see a schedule, and I told him it's etched in stone, so we're looking forward to moving to where we should be – should have been four months ago. It's promising. The system that you see is designed to do what we expected it to do; it's just a little late in getting here. I think Mr. Waters understands the urgency in getting this project completed, both from our side, as well as the Tax Assessor's side, and moving forward, so that the development community can take advantage of the technology. So the schedule, I think, is a good one; we just need to adhere to it.

Chairman Liakakis said, when this is in full operation, this will help so that you can be able to track a lot of the projects much faster and to be able to make sure they come on line and are meeting all the requirements?

Mr. Anderson said, that's correct, Mr. Chairman. This system will allow us to do a number of things. One, it'll automate half of the process that we're now doing currently manually. Then it will add an element, as you've just seen, with the internet access, a function that we don't have right now, where developers and contractors can access information via the internet without physically coming to our office, phoning our office, and in some cases, even physically going to the construction site, so it will add another layer of service to our department in response to the development community, to allow them to do what they do a little bit more efficiently, and allow us to do what we do a little bit more efficiently. So it's very promising. This is what we've designed the system to do, this is what our expectation has been for a year and a half now. We're closer than we've ever been, so Mr. Waters does understand the importance of us adhering to this schedule and making sure that every milestone is met and every deadline is adhered to.

Chairman Liakakis said, any questions? Commissioner Shay. Commissioner Shay said, did you want to say something? Mr. Abolt said, my suggestion, Mr. Chairman, Ladies and Gentlemen, is that you instruct Mr. Waters that if there's any expectation on his part between now and the end of the contract that a milestone will be missed, it will be not up to Staff to hunt him down; he'll be here with you, wanting to speak to you, to give you any reasons why there's a delay. I would ask you to do that.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I just sort of want to follow up on what the County Manager said and, Mr. Waters, if you could, for the record, say you're going to stick to this schedule, I would really appreciate it.

Mr. Waters said, right now, the schedule as proposed, again, there are some dependencies upon the Chatham County Staff to get some things done in the next week. In reviewing that, like there's a 12-day period in there for the Staff to review the system and make sure that it's functioning and operational in the way that they want it to be, and there's another 12 or so day period where we would make those final corrections based on the system. So to the best of my abilities right now, I can commit to this schedule. I've worked with the project team and they've worked with the Staff here to make sure this is a doable, viable implementation schedule.

Commissioner Stone said, and you're going to stay on top of it. Mr. Waters said, I am going to stay on top of it. I've got that drive memorized from Charlotte now and I think I could do it with my eyes closed, so I can be down here very frequently. Commissioner Stone said, thank you.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, I'd like to make a resolution that we follow through on the language that the County Manager suggested and that we call on them to meet their schedule and meet their commitments today, that we'll commit that our staff will do everything they can to make sure that we don't become any part of the problem, but if for any reason there is a delay or a milestone to be missed, that we would look forward to seeing the contractor here and explaining it to us, rather than having our Manager searching for him. Commissioner Stone said, if that's a motion, I'll second it. Commissioner Shay said, it is.

Chairman Liakakis said, all right, we have a motion on the floor for that resolution concerning NovaLIS. Go on the board. The motion passed unanimously. [NOTE: Commissioner Kicklighter was not present.]

Chairman Liakakis said, Gary, thank you very much. We appreciate you coming back this two weeks, you know, and bringing us this information, and your response now for the last few weeks has been good and hopefully, we can keep along this same path so that we can complete this very vital project for our citizens. Thank you.

ACTION OF THE BOARD:

Commissioner Shay made a motion that the Commission follow through on the language that was suggested by the County Manager and that we call on them to meet their schedule, and that we'll commit that our staff will do everything they can to make sure that we don't become part of the problem, but if for any reason there is a delay, that we look forward to seeing the contractor here to make an explanation. The motion was seconded by Commissioner Stone and it passed unanimously. [NOTE: Commissioner Kicklighter was not present.]

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X. ACTION CALENDAR

(The Board can entertain one motion to adopt the below-listed calendar. Such motion would mean adoption of staff's recommendation. Any Board Member may choose to pull an item from the calendar and it would be considered separately.)

Chairman Liakakis said, do we have a motion on the floor about – any items that you would like to discuss? Commissioner Odell said, I think Dean wants to pull – Commissioner Gellatly said, yeah, Dean's asked to have 4 pulled. Chairman Liakakis said, okay, we've got Item 4. What other numbers? Commissioner Stone said, Mr. Chairman, if you would indulge me for a second, 8(1), I just for the record, just to make sure that when traffic improvements are made, I just don't want it to be made at taxpayers expense only to benefit private developments. Number (1). And I just want to say that for the record. Chairman Liakakis said, any other items on the Action Calendar you would like to pull? Commissioner Odell said, move that the balance be approved. Chairman Liakakis said, do we have a second?

Commissioner Holmes said, second. Chairman Liakakis said, go on the board. The motion carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

ACTION OF THE BOARD:

Commissioner Odell made a motion to approve Items 1 through 8-Q, with the exception of Items 4 and 8-I. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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[NOTE: ACTION OF THE BOARD IS SHOWN ON EACH ITEM AS THOUGH AN INDIVIDUAL MOTION WAS MADE THEREON.]

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- 1. APPROVAL OF THE MINUTES FOR THE PRE-MEETING AND REGULAR MEETING OF AUGUST 12, 2005, AS MAILED.**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the minutes of the regular meeting of August 12, 2005. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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- 2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD AUGUST 4 THROUGH AUGUST 17, 2005.**

ACTION OF THE BOARD:

Commissioner Odell moved that the Finance Director is authorized to pay claims against the County for the period August 4, 2005, through August 17, 2005, in the amount of \$7,246,832 . Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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- 3. REQUEST FROM THE ENGINEER FOR SOUTHBRIDGE DEVELOPMENT COMPANY FOR THE COUNTY TO APPROVE THE CONSTRUCTED IMPROVEMENTS FOR SOUTHBRIDGE, PHASE 17, INITIATE THE WARRANTY PERIOD, AND REDUCE THE FINANCIAL GUARANTEE.
[DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request from the engineer for Southbridge Development Company for the County to approve the constructed improvements for Southbridge, Phase 17, initiate the warranty period, and reduce the financial guarantee. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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**4. REQUEST BOARD'S CONCEPTUAL APPROVAL OF A PETITION FROM PROPERTY OWNERS IN CANTERBURY PARK TO ACCEPT THE PRIVATE ROADS FOR COUNTY MAINTENANCE.
[DISTRICT 7.]**

Chairman Liakakis said, okay, under Action Calendar, Item 4, Commissioner Stone.

Commissioner Stone said, well, either one. We just wanted to continue it until Commissioner Kicklighter can get some more information.

Commissioner Kicklighter said, yeah, I'd like to ask the County Manager to get the Staff to contact the homeowner's association from Canterbury Park and let them know that it will be on the agenda at the next meeting and to bring all information possible, please, and with that, I'll make a motion to table. Commissioner Stone and Commissioner Thomas seconded the motion.

Chairman Liakakis said, any other discussion? Go on the board. The motion carried unanimously. [NOTE: Commissioner Shay was not present.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to table the request for approval of a petition from property owners in Canterbury Park to accept the private roads for County maintenance. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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5. REQUEST BOARD APPROVE A RESOLUTION TO SUPPORT AN APPLICATION FOR ASSISTANCE OFFERED THROUGH THE WATER RESOURCES DEVELOPMENT ACT OF 1974, AS AMENDED, AND TO PROVIDE THE LOCAL MATCHING SHARE IN THE AMOUNT OF \$20,000, AND TO AUTHORIZE THE CHAIRMAN TO SIGN AN INTERGOVERNMENTAL AGREEMENT.

ACTION OF THE BOARD:

Commissioner Odell moved to approve a resolution to support an application for assistance offered through the Water Resources Development Act of 1974, as amended, to provide the local matching share in the amount of \$20,000, and to authorize the Chairman to sign an intergovernmental agreement. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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6. **REQUEST FOR RENEWAL OF SUNDAY SALES LICENSE FOR 2005. PETITIONER: SCOTT ROBERT JACKSON, D/B/A SICILIANO'S, LOCATED AT 4700 HIGHWAY 80 EAST. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Scott Robert Jackson, d/b/a Siciliano's, located at 4700 Highway 80 East, for renewal of a Sunday sales license for 2005. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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7. **REQUEST FOR RENEWAL OF SUNDAY SALES LICENSE FOR 2005. PETITIONER: CHERYL D. HULL, D/B/A BEEF O'BRADY'S FAMILY SPORTS PUB, LOCATED AT 461 JOHNNY MERCER BOULEVARD, UNITS 11 AND 12. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Cheryl D. Hull, d/b/a Beef O'Brady's Family Sports Pub, located at 461 Johnny Mercer Boulevard, Units 11 and 12, for renewal of a Sunday Sales license for 2005. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

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8. **REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.).**

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
A. Two (2) replacement excavators	SPLOST	ACS Construction Equipment	\$221,730	SPLOST (2003-2008) - Fleet Replacements
B. Engineering services contract for the design of a right turn lane on Little Neck Road at US Hwy 17 intersection	SPLOST	Thomas and Hutton Engineering	\$28,000	SPLOST (1985-1993) - VARIOUS County Roads, Little Neck Road/US 17

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
C. Amend the annual revenue generating lease agreement to recognize a change in term from five (5) to twenty-five years	Sheriff Department	Verizon Wireless of Georgia, LLC	\$2,300/month	N/A - Revenue Generating
D. Annual contract with automatic renewals for four (4) additional one (1) year terms to provide Title Abstract Services to the Tax Commissioner	Tax Commissioner	Coastal Title and Abstract, LLC	\$35/abstract	General Fund/M&O - Tax Commissioner
E. Annual contract with automatic renewals for three(3) additional one (1) year terms to provide various oil and lubricant products to Fleet Operations	Fleet Operations	Stubbs Oil Company	\$35,125/year	General Fund/M&O - Fleet Operations

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
F. Annual contract with automatic renewals for four (4) additional one (1) year terms to provide special landscaping, lawn care, and litter collection services to various County agencies	Various	Chase Landscape, Inc.	\$27,200/year	<ul style="list-style-type: none"> •General Fund/M&O-Aquatic Center (\$7,640/Year) •General Fund/M&O-Administrative Services (\$2,366/Year) •General Fund/M&O-Tax Commissioner (\$5,060/Year) •General Fund/M&O-Board of Equalization (\$1,576/Year) •General Fund/M&O-Elections Board (\$1,576/Year) •SSD- Police Department (\$5,060/Year) •SSD- Department of Building Safety & Regulatory Services (\$2,366/Year) •Landbank-DMV (\$1,576/Year)
G. Annual contract with automatic renewals for two (2) additional one (1) year terms to provide on going, as needed and per transaction Broker Services to the Finance Department	Finance	<ul style="list-style-type: none"> •Bank of America Securities •Wells Fargo Brokerage Services, LLC •Gilford Securities, Inc. •A.G. Edwards & Sons, Inc. •BB&T Capital Markets •Great Pacific Securities •Merrill Lynch, Pierce, Fenner & Smith, Inc. •Suntrust Robinson Humphrey 	N/A	N/A (Commissions are included with each Investment or Financial Transaction)

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
H. Terminate design contract for the Jimmy DeLoach Parkway Extension to near the Houlihan Bridge	Engineering	Hussey, Gay, Bell & DeYoung	N/A	No funding required
I. Award a design contract for a traffic signal at intersection of S.R. 17 and Westgate Blvd	Engineering	Thomas & Hutton Engineering Company	\$38,000	SPLOST (2003-2008) - Unincorporated Roads, Intersection Improvements
J. Award a pre-vent contract for Disaster Recovery Services for Unincorporated Chatham County	Public Works and Parks Services	Ashbrit, Inc.	None at this time	No funding necessary at this time
K. One (1) One ton Cab & Chassis	Parks and Recreation	J. C. Lewis Ford	\$24,222	CIP - Fleet Replacements
L. Five (5) used Non-Typical replacement vehicles	CNT	•Fairway Lincoln-Mercury (4) •OC Welch Motor Company (1)	\$73,975	CIP - Fleet Replacements
M. Four (4) one half ton replacement pickup trucks	•Public Works •Facilities Maintenance •Animal Control	J. C. Lewis Ford	\$62,818	•SPLOST (2003-2008) - Fleet Replacements •CIP - Fleet Replacements
N. Agreement for annual software maintenance on the Novell Network	I. C. S.	Software House International (SHI) (Sole Source) (Statewide contract) (MBE)	\$63,121	General Fund/M&O - I.C.S.

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
O. Agreement for annual maintenance on the storage area network	I. C. S.	Xiotech (Sole Source)	\$12,624	General Fund/M&O - I.C.S.
P. Four (4) month blanket purchase agreement	Mosquito Control	Steed Flying Service, Inc. (Sole Source)	\$4.25/acre	General Fund/M&O - Mosquito Control
Q. Approval of Engineering Services contract (surveying, sanitation design and other services)	Engineering	Thomas & Hutton Engineering Company	Not to exceed \$75,000	SPLOST (1993-1998) - Jail Expansion

As to Items 8-A through 8-Q, except Item 8-I:

Commissioner Holmes moved to approve Items 8-A through 8-Q, except Item 8-I. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]

As to Item 8-I:

Award a design contract for a traffic signal at intersection of S.R. 17 and Westgate Blvd; Engineering; Thomas and Hutton Engineering Company; \$38,000; SPLOST (2003-2008) - Unincorporated Roads, Intersection Improvements.

Chairman Liakakis read Item 8(I) and said, discussion?

Commissioner Stone said, I mean, I just said, and I think it was explained in the pre-meeting, but I just do not want our taxpayer dollars going for a traffic signal specifically to develop —, I mean, to benefit a private development.

Chairman Liakakis asked, Mr. County Manager, do you have any comments on this?

Mr. Abolt said, other than to be redundant to the comments earlier, this was a project that has been longstanding. Dr. Thomas has been called on many occasions by the area property owners. Commissioner Thomas said, serious problems. Mr. Abolt said, and it's really a function —, and I used the term cherry-picking, which I'll not use again even though Commissioner Shay is not in the room —, but essentially we've had it in the past and it's a tendency even now to see annexations that are crafted that leave roads or intersections still the responsibility of Chatham County. In this particular case, we thought an annexation had included the intersection. It did not. And so to solve the problem, and certainly with the leadership of Dr. Thomas, this was the only solution.

Chairman Liakakis asked, Commissioner Thomas, any other comment? Commissioner Thomas said, no, other than the County Manager has said. It's been an ongoing problem for the past three years, and I certainly would rather see a light up there than to have people dying, you know, because we didn't take action.

Commissioner Stone said, and I just wanted a clarification.

Chairman Liakakis said, all right, do we have a motion on the floor to approve that? Commissioner Odell said, I make a motion to approve with a comment. Chairman Liakakis said, okay, do we have a second? Commissioner Holmes said second.

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, my comment is, Russ, the body that annexed the surrounding area, what body is it? Mr. Abolt said, City of Savannah. Commissioner Odell said, I think that we have to do this because it creates an emergency situation, which part of our responsibility is health and safety, and we have to do it. Can we contact the City of Savannah to see if they would annex this little section so there will be some continuity? Mr. Abolt said, I'll be glad to.

Chairman Liakakis said, okay, let's go on the board. The motion carried unanimously. [NOTE: Commissioner Shay was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

1. Commissioner Odell moved to approve Items 8-A through 8-Q, except Item 8-I. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Shay was not present.]
2. Commissioner Odell moved to approve Item 8-I. Commissioner Holmes seconded the motion and it carried unanimously.

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XI. FIRST READINGS

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting.

On first reading, presentation by MPC staff and discussion only by Commissioners will be heard.

Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

1. **ADOPT AN UPDATED CHATHAM COUNTY REVENUE ORDINANCE.**

Chairman Liakakis asked, who's commenting on that for the staff?

County Manager Abolt said, Mr. Chairman, very briefly on this, this is something that we do at least annually. The County has, for a number of years, kept in one document the Revenue Ordinance, a compilation of all fees and charges you've approved. This is something we're doing now, after your budget was adopted. In effect, you already approved the fee increases where appropriate and where recommended. This just codifies them in one ordinance.

Chairman Liakakis said, okay, any comments?

Commissioner Stone said, I just have one question. I mean, this is just the first reading and it could actually wait, but I was just curious, on the fourth page, where it says Article 0, Section 5, added personal to the side to the sale of surplus property. Why would you do that? Mr. Abolt said, I'm on Page 4 – Commissioner Stone said, under Number 1, Page 4 – excuse me. Page 4, under Number 1 of the County Ordinance, County Revenue Ordinance. Mr. Abolt said, I'm sorry, you're looking at the actual ordinance? I'm sorry. Mr. Abolt said, Ms. Cramer, would you come forward, please?

Commissioner Odell said, point of order, if I might. It's been historically our position that we did not debate or discuss First Reading. That was reserved for Second. Commissioner Stone said, okay. Commissioner Odell said, is it our policy that we're now changing it? Chairman Liakakis said, no, no, we're not changing. Commissioner Stone said, that's okay, I'll wait until the next meeting. I'm sorry. Chairman Liakakis said, okay. I just wanted to see if there was any specific ordinance somebody wanted to read now. Commissioner Stone said, Commissioner Odell is correct. I just had a question and it can wait until the Second Reading. Chairman Liakakis said, what I was asking for is any reading of a specific ordinance that you would like to have and we'll discuss it at the second go-round. Commissioner Stone said, that's fine.

ACTION OF THE BOARD:

Chairman Liakakis read this item into the record as the first reading.

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- 2. THE PETITIONER, MARK BRYANT (FOR ANTHONY AND SUSAN NORTON, OWNERS), IS REQUESTING REZONING 43 CORNUS DRIVE FROM AN R-1-B/EO CLASSIFICATION TO AN R-1-A/EO CLASSIFICATION. THE MPC RECOMMENDED APPROVAL.
MPC FILE NO. Z-050713-54715-1
[DISTRICT 1.]**

Chairman Liakakis said, is there any discussion on that item? Do we need the MPC to come forward? Commissioner Stone said, well, this is the First Reading, but I do —, I would like to say something on the Second Reading. Chairman Liakakis said, okay, at the next one.

ACTION OF THE BOARD:

Chairman Liakakis read this item into the record as the first reading.

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XII. SECOND READINGS**1. VARIOUS ORDINANCE AMENDMENTS ELIMINATING JAIL TIME SANCTIONS.**

Chairman Liakakis said, as you remember, what the County Attorney has done is recommended to the Board so that we could reduce some attorney's fees, that we take away jail sentences off of certain ordinances, because if you have somebody speeding, instead of having jail time for that, you'd just give them a fine, and the other ordinances like that. Everybody was given all of those ordinances where they were amending those to eliminate the jail time. Do we have anybody want to discuss anything?

Commissioner Odell said, I just have one or two questions, if I might be permitted, for the County Attorney. Jon, this is done to reduce cost. Is that true? Mr. Hart said, yes, sir, pretty much so. Commissioner Odell said, okay, and how much cost by doing this do we project that we will reduce? Mr. Hart said, we really don't know. The reason for doing it is, we have an awful lot of ordinances that say a fine not to exceed so-and-so or 30 days in jail or 60 days in jail, and most of these things that we're talking about reducing here, on very rare occasions you might see jail time, but the problem is that if you have an ordinance that has the threat of jail time in it, then a person that is indigent that does not desire to have —, desires to have counsel representation, we have to appoint one for that, and, you know, for the Public Defender, that's just an additional caseload. We anticipate it will have some effect, but it's not something I don't think anybody can put a finger on how much.

Commissioner Odell said, I want to follow up, but Russ? Mr. Abolt said, just permit me a bit of history. This came out of your goal session. You recall, you were listening to every department, including the Judges, the head of Public Defender, and other officers of the Court, and at that time, this was thought to be a very good idea, which I think it still is, and we were just following up on it.

Commissioner Odell said, by way of clarification, so the Staff does not labor under any misapprehension, I think it's a good idea, also, but if we present an item as a cost-savings, to me, we ought to be able to determine the cost. We know that there are going to be some costs and there are ways that it can be done, simply by looking at the number of cases over the past year and having those files pulled to determine the cost. Then you know what the costs are. I would support it for a different reason other than a cost savings, you know. I think we will eventually evolve to the position that we realize that Government is different from business, and that there are things constitutionally we are obligated to do. We're never going to break even, and you don't want a court system that breaks even. And those are my comments and, Jon, I support the ordinance. I read through it very carefully and I agree totally, and you're right, it did come out of the goal session. Was it MacArthur Holmes and AI? Mr. Abolt said, I once attributed it to the Sheriff and he reminded me he didn't do that. Commissioner Odell said, AI didn't do that?

Sheriff St. Lawrence said, well, Commissioner, that was really Judge Ginsberg that brought that up at the Bamboo Farm, at your session out there. Commissioner Thomas said, right. Sheriff St. Lawrence said, and we said we certainly didn't have any objection to it. My count yesterday morning was 1534, so any help I can get —. Commissioner Odell asked 1534? Sheriff St. Lawrence said yes, and it didn't jump overnight. I mean, it's slowly creeping up and we're getting close to a day of reckoning on overcrowding. Commissioner Odell said, we've addressed that in Executive Session. Sheriff St. Lawrence

said, I know that. I know, we're doing everything we can do, but it just keeps creeping, you know. Commissioner Odell said, if you all can hold on, help is on the way.

Sheriff St. Lawrence said, the only other help that I might ask for is that the City would take a look at their City Ordinances, as well, because they're bringing people out there for standing in the road and, you know, things like that. So, you know, we have to take them and book them in. We might get them out in a few hours or the next day or something, but you might want to take a look at that, too.

Commissioner Odell said, I will make that, that we pass that on. My concern, in that I try to be an advocate for those who have mental disabilities and mental retardation. I see people who get off of their drugs, psychotropic drugs, and they act up, and they're brought to your place. Sheriff St. Lawrence said, sure. Commissioner Odell said, at some point, I'd like to discuss that with you and MacArthur. I've done a most detailed legal review and we have some things, some laws on the books, which give me some concern as to how those people in that situation must be handled.

Sheriff St. Lawrence said, well, you know, and I think MacArthur will tell you the same thing, I can tell you it's over 200 —, I've got over 200 persons in the mental health unit now, and they get the psychotropic medications and the psychiatrists and everything that goes along with it, but it's very expensive.

Commissioner Odell said, you know, I think what I'm getting at, Sheriff, is that if you look at the code section, it would appear that some other entities are deflecting the cost to the County, some of that cost. If I am a Savannah police officer, and this person who is a schizophrenic fails to take their medication, comes out on the porch, takes a hammer, and running around, being disorderly, as a police officer, the neighbors call, I come and arrest that person for disorderly conduct, there should be, other than the jail, an initial screening like at a designated health care provider, would do the initial screening. Under those circumstances, that patient and the cost of that treatment would not become the cost of Chatham County. It would become the cost of the police officer, whatever municipality is making that arrest. Sheriff St. Lawrence said, I think it is that way now. If they come across a person that's likely to injure himself or someone else and they take them for evaluation, they're responsible for that. We're not responsible for it until we book them into the jail. Commissioner Odell said, and that's something that I thoroughly agree. But the only reason why I bring this up, we did a public hearing on mental health and one of the mental health patients had kind of a fix on me and comes to my office and pours Clorox on my steps. As long as she's on medication, there's no problem. She got off the medication, she runs through the neighborhood and she's arrested, and when I talk to her in a lucid state and she's arrested, they don't take her to a facility; they bring her straight to jail. Sheriff St. Lawrence said, you know, a lot of the problem is that, you know, these people are on medication. They have problems sometimes — it's not that they don't want to take it; they don't have the money to get it. Commissioner Odell said, yeah, and under our current system, they will give you a 30-day prescription and you'll have an appointment 60 days down the road, so you're 30 days without medication. But that's not something we need to thrash out here; that's something that this Commission, over time, is going to have to address, to make certain when we say that we have a mental health system, that we in fact have a mental health system, and not just various components; that we have a beginning, middle, and an end. That's a system. Now, we've got various components, but we're going to look at that in the near future, AI, and MacArthur.

Mr. Holmes said, I know this wasn't part of the agenda, but there are some steps to be taken to address some of the things that you talk about. The Crisis Intervention Team, the CIT Program, and it's basically

headed by —, they're involving all the law enforcement agencies in Chatham County and also the entire State of Georgia, and their goal is to train a large number of officers within the State of Georgia to address these same problems, so if they get a call that involves a person that has a mental problem, then there are officers that are trained to handle those situations and that there are alternative places to take these individuals instead of the jail. And we're working now with Memorial Medical Center, with some of the area mental health institutions, so that we can have some other places to take them instead of the jail. Right now, we're operating the largest mental health institution in this area, and I've got probably 250-280 people that we are treating from a mental health standpoint, and that's not what jail is designed for, so this will definitely help us, and I think we need to support that, those CIT helpers. They've already had two graduating class, there's another class that's scheduled to take place in the near future, and we're hoping to get a large percentage of the Savannah-Chatham County area officers trained, so there are some alternatives.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you. Mr. Manager, this is the part that Judge Ginsberg talked to us about in the meeting where – correct me, an attorney, one of you —, if someone gets a speeding ticket right now and they choose to send it to State Court, bound it over to State Court, does a jury —, a jury has to be called in, right, for State Court? Mr. Hart said, yes, sir. He can demand a jury trial. Most of those are handled down in Municipal Court, though.

Commissioner Odell said, I do criminal. Jon does high level work; I'm a blue collar lawyer. You don't call in a jury for every traffic ticket. You have several options. If the case gets out of Municipal Court, it goes to State Court, the first assignment is called an arraignment, and that is where you are presented the accusation and the basis for the state charges. At that point, you can either enter a plea, you can ask that the case be heard by a judge, sitting without a jury, you can ask that a case be tried by a jury. Those are your options. Very few people opt to go to a jury trial, because if you're looking at a fine of \$150 and you're looking at a \$2500 legal bill, then that fine of \$150 don't get to be so bad. And, you know, I want to dispel that mistaken belief that we use juries on those minor cases. We do juries if there's a DUI and the person is going to be incarcerated for 180 days, then those kind of cases get treated different. Speeding tickets are handled —, would you agree, Mr. —? Mr. Hart said, oh, absolutely. Commissioner Kicklighter said, that was my question. I knew that sometimes it can go to a jury. One thing with this is, it would actually help the State Courts as far as not having to hear every little speeding ticket and things like that, and, you know, it would help the citizens here, where they wouldn't be inconvenienced and have to go in quite as much and, you know, I think it's a pretty good thing, where speeding tickets will just be handled in our courts rather than having to be or possibly being bound over to State Court.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, thank you, Mr. Chairman. I just would like to also say that we really need to support this change, and I would like to just talk about the capacity of the jail just for a minute, if I could, and do a little history lesson for some of you. Years ago when we had a different jail, it was a lot smaller, and it became over-crowded and we had a judge that's still on the bench, Judge Edenfield, wrote a letter and he determined immediately that the capacity of that jail was at 384 or 387, something like that, which meant that the Sheriff at that time had to immediately release prisoners. I would point

out that the existing jail has a capacity of 1225, which means that in reality, considering classification, at 1150, you're full, okay? I would point out if Judge Edenfield were to write a letter this afternoon, and he could, that the capacity of that jail is going to be 1,150, that the Sheriff would be under law required to release 350 prisoners immediately. So I think we're very fortunate that we have a Sheriff that's been very efficient, very tough-minded, and made sure that there's room at the inn, no matter what, but that could change in a heartbeat, so we have to take a look at a lot of things to reduce that population. The increased population is also a tremendous source of liability for this county, and I think it also provides unsafe working conditions for the Sheriff's employees.

Sheriff St. Lawrence said, let me just say one thing to ease your mind somewhat. The Manager, Michael Kaigler, they've been working with us. We're going out with —, you're going to get to see all that. We're looking at somewhere down the road a 400-bed expansion out there. But what I'm saying is, we're not —, if Judge Edenfield was to write that letter he can't say we're not trying to do something about the problem, so we're working on it. Commissioner Gellatly said, absolutely, but he can. Sheriff St. Lawrence said, oh, yeah, in a heartbeat. Commissioner Gellatly said, and he has written letters like that, which gives guys like you a reason to act immediately on whatever the letter might be. Sheriff St. Lawrence said, Colonel Holmes and his staff have done a tremendous job. There's really about 400 over-crowded right now, 375, 400, so they're doing quite a job out there.

Commissioner Odell said, yeah, but, Al, what we would do is, we would not automatically —, this is a follow-up on David —, we wouldn't release the prisoners. We would transfer them to other facilities. Sheriff St. Lawrence said, oh, yeah. Commissioner Odell said, and we would be responsible for their daily maintenance and care. Sheriff St. Lawrence said, \$45 to \$50 a day, plus I've got to take them and got to go get them for court and everything else. Commissioner Odell said, and beyond that, Al, we would be obligated to pay them, whereas the State, who owes us five or so million dollars, is not obligated to pay us. Sheriff St. Lawrence said, yeah, we have a lot of problems with that. Commissioner Stone, Commissioner Farrell, and most of you have expressed a real interest in that, in doing things. I'm dealing with the problem right now as an example, I've got an inmate parole violator that's been in the hospital for four weeks, and they look like they're not going to come out. I'm not going to pay that bill. They're going to have to force me to pay it. The State should pay that bill. He's a parole violator; he's not ours.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you. I just want to commend the Sheriff and his staff for the fine work that they're doing and just want to let you know that you're not in this alone. When we attended the national meeting in Hawaii, this was a hot button item and there are counties all over the country who have undertaken this as a priority item. There were several counties who have done what you're doing, training officers who will be working specifically with mentally ill patients. I do have some other information that I brought back and I will share that information with you. I'm not sure if you have it, but it might help you in some way. But it is being discussed and worked upon all over the country as far as counties are concerned, and I do hope and feel that we will support the work that the Sheriff is trying to do, because we have to do something. Changes are needed.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I was just going to say that it's unfortunate that we can't put the State's prisoners on a bus and return them to Atlanta. Sheriff St. Lawrence said, that's been tried before and it didn't work well. A former Sheriff in DeKalb County took them all to the State Capitol and dumped them out on the sidewalk. I'm not going to do that. Commissioner Stone said, no, I mean in the Capital. Commissioner Farrell said, and lock the doors? Commissioner Stone said, yes.

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, just a quick comment. I would highly recommend to any of my fellow Commissioners that have not had a tour of the jail, that you have a tour of the jail, and you ask for MacArthur Holmes, Colonel Holmes, to give you the tour, and ask for the complete tour, which I did that, and it lasted three and a half hours. I mean, I saw every square inch of that jail, and that's worth seeing. That jail is over-crowded and needs some attention, and a lot of people don't realize how much some of the initiatives that the Sheriff and his staff have taken there to keep them in that jail. For instance, he has from time to time inmates that need dialysis. You know where that's done? Right at the County Jail. That's a pretty significant medical procedure. So again, we certainly have the greatest sheriff in the world and his staff, and we appreciate what you're doing out there. Sheriff St. Lawrence said, thank you, sir.

Chairman Liakakis said, the State really needs to revamp the way that they're doing for the prisoners. You know, hopefully, if we have to go to the Georgia Supreme Court so it's a constitutional matter that the State of Georgia should be paying for these prisoners, they are state prisoners, and the county taxpayers should not be paying for it like they have been and putting a burden on the budget of the county. They also need to take more responsibility on people that have mental health problems. I mean, this is terrible, that we've got people in the jail – a couple days ago, I signed a bill to be paid for medical treatment for prisoners in July, about \$360,000. That's what the citizens in Chatham County are having to pay for, and a lot of those are mental patients that are in that jail. Those mental patients should be taken, the responsibility by the State of Georgia, and they need to pay for it. I know that Colonel MacArthur was talking about this crisis intervention, but that is not sufficient to take care of as many problems as they have. And when the State of Georgia has as much access in those taxes and the other revenues that they have, they've got at their – they have the responsibility to pay for these things and not put the burden on the citizens around the State of Georgia, because that is terrible. And to close down adolescent and children sections out at Georgia Regional, to reduce the amount of assistance that mental patients are going to get in this area, is inexcusable, and the State of Georgia ought to be ashamed of itself, and hopefully that we can win that case in the Georgia Supreme Court, where we have sued them for them not taking their responsibility and pay the dues, the bills that they should be paying. Okay, let's move on. We need to vote on that item. Commissioner Stone said, I make the motion. Commissioner Thomas seconded the motion. Chairman Liakakis said, we have a motion on the floor and it's been seconded. Let's go on the board.

ACTION OF THE BOARD:

Commissioner Stone moved to approve various ordinance amendments eliminating jail time sanctions. Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

An ordinance to amend the Chatham County Code more particularly as follows:

Section 2-108 shall be amended so as to delete the fine amount of \$500.00 and insert in lieu thereof in the same place the fine amount of \$1,000.00.

Section 2-108 shall be amended so as to make all criminal jail time violations contained in this section not applicable to Sections 11-101, Disorderly conduct, 11-102, Disorderly House, 11-103, Unlawful Assembly, 11-104, Advertising Prohibited in Courthouse, 11-105, Soliciting Prohibited in Courthouse, 11-106, Trespassing in County Garage Prohibited, 11-107, Library Regulations, 11-108, Gambling Devices, 11-110, Obscene material. All amounts pertaining to fines permitted within this Code section shall remain in full force and effect.

The portion of section 11-101 pertaining to Disorderly Conduct is hereby amended so as to delete the potential sentence of jail time upon conviction. All other language of this provision shall remain in full force and effect as previously enacted.

The portion of section 11-106 pertaining to Trespassing in County Garage Prohibited is hereby amended so as to delete the potential sentence of jail time upon conviction. All other language of this provision shall remain in full force and effect as previously enacted.

The portion of section 11-107 pertaining to Library Regulations is hereby amended so as to delete the potential sentence of jail time upon conviction. All other language of this provision shall remain in full force and effect as previously enacted.

Adopted this _____ day of August, 2005.

CHATHAM COUNTY, GEORGIA

BY: _____
Pete Liakakis, Chairman
Board of Commissioners

ATTEST: _____
Sybil E. Tillman
Clerk of Commission

SEAL

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- 2. **AMENDMENT TO THE CHATHAM COUNTY CODE, CHAPTER 13: SPECIAL DISTRICT FOR TRANSIT SERVICE TO INCLUDE A PORTION OF THE CITY OF PORT WENTWORTH IN THE CAT DISTRICT.**

Chairman Liakakis said, do we have a motion on the floor? Commissioner Shay said, so move. Commissioner Thomas said second. Commissioner Kicklighter said second, and I'd just like to ask —. Chairman Liakakis said discussion?

County Attorney Hart said, we just need one clarification on that, something that we discovered after this was written that we just need to change a date. Pat Monahan said, I just wanted to point out, after I wrote this agenda item, in working with both Port Wentworth, the City of Savannah, and Chatham Area Transit, I went back through and pulled the PIN numbers and actually ran the value from this area. Now, remember, this is an undeveloped area and employment probably will not start for another year. The total revenues generated by this area will be \$500, and I think it will be burdensome upon CAT to provide a reasonable level of service, so I'm suggesting that the effective date of this ordinance be January 1st, 2007, as opposed to 2006, and that will give opportunity for the development to begin, for CAT to begin to develop a plan to serve the area, and perhaps for the area to generate more revenue.

Commissioner Shay said, I'll include that in my motion.

Chairman Liakakis said, Patrick, are we sure it's going to take that long, until 2007? Because I thought I understood that some of those developers out there would have some things out of the ground sometimes about May possibly. Mr. Monahan said, you're talking six months, and so six months already puts us into January in 2006, so they'll be taxed based on that value of January 1st, 2006, of which there won't be much development at that time. Chairman Liakakis said, okay.

Commissioner Kicklighter said, so they won't be taxed until it kicks in. Mr. Monahan said, January 1st, 2007. They would not be taxed until the district's created. That'll give CAT an opportunity to take a look at the service needs of that area. I think even though we applaud Port Wentworth's action, I think CAT also has a responsibility to provide a reasonable level of service, and there's no need of providing service if it's not needed and, vice versa, the property owners shouldn't be taxed for service that's not provided.

Chairman Liakakis said, all right, Commissioner Shay has amended that to make it January 1st, 2007. Commissioner Thomas said, I amend my second.

Commissioner Kicklighter said, if I can just say one thing, just for the people in Port Wentworth, to clarify, the ones that live there, this is a new development area. It's pretty standard if the City requests that the service be there, everyone that moves in this place in the future will know that they will be paying that tax. Mr. Monahan said, well, it's actually a 300 acre commercial development. I don't know that there will be too much residential in there; it will probably be primarily commercial, warehouses, I believe. Commissioner Kicklighter said, but that happens in the residential areas, too, in new developments when they request it. Mr. Monahan said, I just want to point out, I did discuss this with Ty Butler and Carl Palmer, and they were in agreement about delaying the start time.

Chairman Liakakis said, okay, let's go on the board.

ACTION OF THE BOARD:

Commissioner Shay moved to amend the Chatham County Code, Chapter 13: Special District for Transit Service, to include a portion of the City of Port Wentworth in the CAT District effective January 1, 2007.

Commissioner Thomas seconded the motion and it carried unanimously. [NOTE: Commissioner Odell was not present.]

AGENDA ITEM: XIII-2
AGENDA DATE: August 26, 2005

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Patrick Monahan, Assistant County Manager

ISSUE:

To amend the Chatham County Code, Chapter 13: Special District for Transit Service, to include a portion of the City of Port Wentworth in the CAT District.

BACKGROUND:

Under state law, the Board of Commissioners can consider the petition of any municipality (Savannah must be included) to become included, either all or part of it, into the CAT Special District. The City of Port Wentworth has filed such a petition to include a 296.615-acre tract on Godley Road near Jimmy DeLoach Parkway and Highway 21. To effect the inclusion of this area, the Chatham County Code, Chapter 13, must be amended.

FACTS & FINDINGS:

1. Attachment 1 presents the petition in the form of a resolution from the City of Port Wentworth for inclusion of a 296.615-acre portion of the Godley tract into the CAT Special District. The owners of the tract plan a mixed-use commercial development, including warehouses. The Mayor and Council of the City of Port Wentworth adopted a resolution to include this area based on a request from the property's owner/developer, North Point.
2. To effect the addition of this area (see Attachment 2) into the CAT Special District, the Board would need to amend the Chatham County Code, Chapter 13: Special District for Transit Service. Section 13-301 (i.e. boundaries) would be amended:

All that tract or parcel of land containing 296.615 acres lying and being portions of the R.L. Godley Tract described as "A Boundary Survey of Portions of the R.L. Godley Tract" in the City of Port Wentworth, Georgia, on a plat of survey prepared by Terry Mack Coleman, Georgia Registered Land Surveyor #2486, dated

1/31/2005, and recorded in the records of Chatham County as Book 30P, p 10.

3. With the next tax digest year, January 1, 2006, this amendment would become effective. CAT will work with the developers of the 296.6-acre tract to determine a service level and schedule consistent with need/demand and funding. CAT's Operational Division is continuing to work with the tract's developers on a mutually-beneficial plan.
4. Providing only a portion of service to a municipality became a precedent established in 1986 when Garden City as a whole opted out of the CAT Transit District but then opted to include a portion of the municipality for service. This action was based on the approval of Garden City's Mayor and Council.
5. While this additional service may prove beneficial to CAT in terms of ridership and workforce employment, and prove beneficial to the Godley tract developers as a means of creating a larger workforce pool of employment, the plan also includes some drawbacks.
 - 5a. This area remains several miles from the existing district and will become an isolated as the northernmost point of service.
 - 5b. CAT will be driving through most of Garden City and most of Port Wentworth along Highway 21, but its driver will not make any stops since it cannot serve areas not within the CAT Transit District. This may prove a community relations issue in terms of anyone wanting to catch a CAT and can't, or those who think they are paying for CAT but not.
6. Staff has reviewed the proposal with CAT's administrative staff.
7. The County Attorney has reviewed this report and concurs.

FUNDING:

No Chatham County funding required.

ALTERNATIVES:

1. That the Board include the portion of Port Wentworth into the CAT Transit District per the resolution of the Mayor and Council of Port Wentworth by amending Section 13-301 of the Code of Chatham County (boundary areas of the special transit district).
2. That the Board opt not accept the resolution of the Mayor and Council of Port Wentworth and take no action, which would not include this area in the transit district.

POLICY ANALYSIS:

Under Georgia Laws 1986 (5315–5318), Section 2 (b) provides a procedure for the Board to include a municipality or any portion of a municipality into the special district for transit services. The proposed inclusion of the City of Port Wentworth meets this procedure. To effect this addition, Chapter 13 of the Chatham County Code would need amending to update the boundary description for the Transit Service District.

RECOMMENDATION:

That the Board adopt Alternative 1.

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XIII. INFORMATION ITEMS

1. PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M & O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).

ACTION OF THE BOARD:

A status report was attached for review.

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2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED).

ACTION OF THE BOARD:

A status report was attached for review.

AGENDA ITEM: XIII-2

DATE: August 26, 2005

List of Purchasing Items between \$2,500 and \$9,999
That Do Not Require Board Approval

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Ten (10) advance Taser M-26 with cartridges, 21-foot (air)	Detention Center	DDG Taser, Inc.	\$6,052	General Fund/M&O - Detention Center
One (1) Digital video recorder for camera system	Detention Center	Audio Visual Resources, Inc.	\$6,999	General Fund/M&O - Detention Center

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Two (2) Record books sets, 294 (A - Z) and 295 (A - Z)	Superior Court Clerk	Brown's River Bindery, Inc.	\$2,575	General Fund/M&O - Superior Court Clerk
Administrative Courthouse cooling tower: remove old and replace with new. Shaft, blower wheels and bearings. Replace eliminators.	Facilities Maintenance and Operations	Boaen Mechanical Services, Inc.	\$9,380	General Fund/M&O - Facilities Maintenance and Operations
Aerator for sports complexes	Parks and Recreation	Roy Spielman	\$6,822	General Fund/M&O - Parks and Recreation
Wired and build X arms on east bound lane, Islands Express	Bridges	D.P. Joyner Electric Co., Inc.	\$7,049	General Fund/M&O - Bridges
One (1) Exmark riding mower, and one (1) bag attachment finishing kit	Parks and Recreation	Andy's Lawn Machinery, Inc.	\$9,598	General Fund/M&O - Parks and Recreation
Various fertilizers	Parks and Recreation	Mantek	\$3,963	General Fund/M&O - Parks and Recreation
Eight (8) signs	Public Works	Vulcan Sign	\$3,113	General Fund/M&O - Public Works
Two (2) servers and related components	I.C.S.	Dell Marketing (State Contract)	\$8,584	General Fund/M&O - I.C.S.
Two (2) server replacements and related components	I.C.S.	Dell Marketing (State Contract)	\$8,584	General Fund/M&O - I.C.S.
Two (2) Netplan Dell Servers replacements	I.C.S.	Dell Marketing	\$9,625	Netplan - I.C.S.
Network infrastructure misc supplies	I.C.S.	Graybar Electric, Inc.	\$2,530	General Fund/M&O - I.C.S.
One (1) 8x11 Flatbed body	SPLOST	Coastal Trailer Company, Inc.	\$3,700	SPLOST (2003-2008) - Vehicle Purchase - SSD

<u>ITEM</u>	<u>DEPT.</u>	<u>SOURCE</u>	<u>AMOUNT</u>	<u>FUNDING</u>
Ten foot Dump Body and installation, Unit 294	SPLOST	Coastal Trailer Company, Inc.	\$5,605	SPLOST (2003-2008) - Vehicle Purchase - SSD
One (1) replacement vehicle	Tax Assessors	Fairway Lincoln-Mercury, Inc.	\$8,900	General Fund/M&O - Tax Assessors
One (1) replacement vehicle for Fleet Operations	SPLOST	Fairway Lincoln-Mercury, Inc.	\$9,400	SPLOST (2003-2008) - Vehicle Purchase - M&O
Clerical Tests for Application Center	Human Resources and Services	NCS Pearson, Inc.	\$4,080	General Fund/M&O - Human Resources and Services
Automotive repair and paint	Facilities Maintenance & Operations	Scott's Auto Body & Refinishing, Inc.	\$9,201	General Fund/M&O - Facilities Maintenance & Operations
Motorized shade system and visual presenter	Engineering	Stage Front Presentation Systems	\$7,644	CIP - Engineering
Additional work at Basin Road pipe crossing due to unknown concrete	SPLOST	T Clearing	\$3,279	SPLOST (1998-2003) - Drainage
Build up Haul Road at Litchfield site	SPLOST	T Clearing	\$8,200	SPLOST (1998-2003) - Drainage

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EXECUTIVE SESSION

Upon motion being made by Commissioner Thomas and seconded by Commissioner Kicklighter, the Board recessed at 10:30 a.m. to go into Executive Session for the purpose of discussing litigation, land acquisition and personnel.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:30 a.m.

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ITEMS FROM EXECUTIVE SESSION

- CHATHAM COUNTY, GEORGIA V. 0.495 ACRES OF LAND AND 101.83 SQUARE FEET OF EASEMENT; AND HUNTER'S BLUFF, INC., SUPERIOR COURT OF CHATHAM COUNTY, CIVIL ACTION NO. CV03-1713-MO (JON HART).**

Mr. Hart said, we widened Montgomery Crossroads. In the process of that, on the south side of West Montgomery Crossroads, we came up against a 216-unit apartment building. We took part of their buffer, cut down all their trees, and basically took a 15-foot swab of land. Interestingly enough, they had an appraiser, we had an appraiser. Insofar as the value of the land taken, they were just a few dollars apart. We paid \$58,800 into the court on that. The only remaining thing was the damage to the remnant by the fact you now had two buildings that really sit close to Montgomery Crossroads with total loss of buffer. They're having difficulty renting those apartments, they're so close to the road. Our appraiser agrees that there's damage to it, their appraiser agrees that there's damage to it. The process has broken down over a Court of Appeals decision that was rendered about two or three years ago, called the Gunnels decision. It's a five-step process in how you determine damage to the remainder parcel, severed from the remnant. And the problem is that in one of the steps, the appraisers see it differently. To make a long story short, when you do it our appraiser's way, that comes out to about \$55,000; if you do it their way, it comes out to \$106,000. We had a meeting the other day and sat everybody down, brought the appraisers in, let everybody talk back and forth. There was a good bit of negotiation going on, and we received – they came down considerably and we can settle it for \$85,000. Quite candidly, you don't know what the Court's going to do with it. It all depends how they interpret Gunnels, and it's really not that far apart. Our right-of-way – Commissioner Odell said, so we split the difference, basically. Mr. Hart said, yeah, basically. I think we ought to accept it and get the case over with.

Chairman Liakakis said, so what is your recommendation? Mr. Hart said, the recommendation is to settle the case for \$85,000. Chairman Liakakis said, okay, do we have any discussion? The door is open. We can have a vote. Do we have a motion on the floor? Commissioner Odell said, I'll make the motion. Commissioner Gellatly seconded the motion. Chairman Liakakis said, all right, we have a motion on the floor and a second. Everybody in agreement, signify by saying aye.

ACTION OF THE BOARD:

Commissioner Odell moved to settle Chatham County, Georgia v. 0.495 Acres of Land and 101.83 Square Feet of Easement; and Hunter's Bluff, Inc., Superior Court of Chatham County, Civil Action No. CV03-1713-MO, in the amount of \$85,000. Commissioner Gellatly seconded the motion and it carried unanimously.

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2. ACQUISITION OF PROPERTY OWNED BY DALE A. TANNER AND WANDA H. TANNER FOR THE EISENHOWER DRIVE WIDENING, 7220 WATERS AVENUE (JON HART).

Mr. Hart said the second case, we've talked about twice. This is the Tanner property. This is the property on the Southeast corner of Eisenhower and Waters Avenue, next to the Citizens Service Center. This is property we're going to have to take to widen the road for Eisenhower, to improve that interchange. Essentially, we have a gentleman by the name of Tanner that's acquired that property on that corner back from where that flower shop is, and has submitted a plan for approval of a strip mall in there. Quite candidly, he could fit it on there, and it'd be a pretty valuable piece, pretty high income type property, based on other comparable pieces of property. We need the property, because when we widen the road, essentially we're going to take his entire parking lot and leave him with the building. If he builds the building, we're going to pay substantially more damages than if we take it now while it's a vacant lot.

We've been back and forth. Last time I was in here, I suggested that we try to settle the case for \$800,000. We've got an offer of \$795,000 and, you know, it's a pay now or pay later, and, quite honestly, I think we need to pay now and get it over with. I just don't want to be in a situation where a guy spends a million dollars and then doesn't have a parking lot.

Chairman Liakakis said, where is this property located? Mr. Hart said it's on the southeast corner of Eisenhower and Waters. Chairman Liakakis said, oh, yeah, we've discussed that before. Okay. Do we hear a motion on the floor?

Commissioner Odell said, I'll make a motion. Commissioner Thomas said, second. Chairman Liakakis said, everybody in agreement say aye. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the acquisition of the property owned by Dale A. Tanner and Wanda H. Tanner for the Eisenhower Drive Widening, 7220 Waters Avenue, for the amount of \$795,000. Commissioner Thomas seconded the motion and it carried unanimously.

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3. DIRECTION FOR THE CHAIRMAN TO EXECUTE THE PROOF OF LOSS FOR DAMAGES TO THE VARNADOE BRIDGE (JON HART).

Mr. Hart said, the only other thing I have is, I would like direction for the Chairman of the County Commission to sign the proof of loss to the insurance company for the damages on the Varnadoe Bridge. The Varnadoe Bridge damages are \$186,418. They're going to cut us a check, less our deductible, but they're going to probably try to recapture the deductible, which is \$25,000 deductible. I need direction to have the Chairman do that, number one. Number two, I need to tell you this, I expect how we're going to see this thing proceed is the insurance company's going to take that subrogation claim, they're going to file suit against the trucking company for running into it. At the time they file suit against the trucking company for running into it, I fully expect we're going to have a lawsuit for the wrongful death claim coming back at us, but I'd much rather have the insurance company initiate the lawsuit for collection than us. Commissioner Odell said, yeah, we don't want to be suing a dead guy. Mr. Hart said, I just need direction to have that signed.

Commissioner Gellatly said, I make a motion that we allow the Chairman to sign. Commissioner Odell said, I'll second that. The motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Gellatly made a motion to direct the Chairman to execute the Proof of Loss for damages to the Varnadoe Bridge in settlement of the claim in the amount of \$186,418, less the deductible of \$25,000.

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- 4. REQUEST BOARD APPROVE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN AFFIDAVIT THAT THE EXECUTIVE SESSION WAS HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT.

ACTION OF THE BOARD:

Commissioner Stone moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Farrell seconded the motion and it carried unanimously.

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APPOINTMENTS

Chairman Liakakis said, we will do appointments at the next meeting. Could we have a motion on that?

Commissioner Thomas said, so moved. Commissioner Stone said, second. Chairman Liakakis called for a vote and the motion carried unanimously.

ACTION OF THE BOARD:

Commissioner Thomas moved that appointments be made at the next meeting. Commissioner Stone seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 12:15 p.m.

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APPROVED: THIS _____ DAY OF _____, 2005

PETE LIAKAKIS, CHAIRMAN, BOARD OF
COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

BARBARA B. WRIGHT, ACTING CLERK
FOR SYBIL E. TILLMAN, CLERK OF COMMISSION